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ATTORNEY GENERAL OF NEW JERSEY
Division of Law
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Attorney for the Professional Counselor
Examiners Committee of the New Jersey
State Board of Marriage and Family
Therapy Examiners

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
PROFESSIONAL COUNSELOR EXAMINERS
COMMITTEE OF THE STATE BOARD OF
MARRIAGE AND FAMILY THERAPY EXAMINERS

IN THE MATTER OF THE
SUSPENSION OR REVOCATION OF
THE LICENSE OF

Administrative Action

:

KAREN L. HICKS, LPC
LICENSE No. 37PC002100

CONSENT ORDER

:

TO PRACTICE PROFESSIONAL
COUNSELING IN THE STATE
OF NEW JERSEY

:

This matter was opened before the Professional Counselor Examiners Committee (hereinafter "the Committee") of the New Jersey State Board of Marriage and Family Therapy Examiners (hereinafter "the Board") upon receipt of a Consent Order between the State of New Jersey, Office of Insurance Fraud Prosecutor and Karen L. Hicks (hereinafter "respondent"), a Licensed Professional Counselor. The Consent Order provides that respondent did knowingly ask another person to write a fraudulent receipt in the amount of \$3,200.00 and

FILED

March 9, 2009
STATE OF NEW JERSEY
BOARD OF MARRIAGE AND FAMILY THERAPY
EXAMINERS
Elaine L. Hicks

respondent submitted the fraudulent receipt to Chubb Insurance Company as a claim for a lost or stolen ring. This conduct constitutes a violation of N.J.S.A. 17:33A-1 et seq. Based upon said violation, respondent signed Consent Order No. 07-22222-15 and consented to pay a civil penalty in the amount of \$4,000.00 to the Commissioner, Department of Banking and Insurance.

Respondent appeared with counsel James Brady, Esq., before the Committee on February 5, 2009. She testified that she had worked as a counselor in an Employee Assistance Program (EAP) for the United States Postal Service. Respondent admitted that she inappropriately asked a former client from the Postal Service to prepare a fraudulent receipt for a lost ring.

Respondent testified that she is not in private practice and has not provided any individual or group counseling services nor had any direct client contact since 2006. In her present position at Monmouth Cares she does not have any client contact.

The Committee expressed concern that respondent had involved a former therapeutic client in fraudulent actions by asking her to write a bogus receipt for a ring. The Committee reviewed a handwritten letter from respondent to her client in which respondent stated that she was "a pretty lousy therapist," "that she crossed a line," "that she did not have any excuses, only apologizes" and admitted that she asked her client to prepare a fraudulent receipt. In the letter respondent admitted that involving her client was "completely unethical," that she "over stepped [sic] an ethical line

that does not make me worthy of practicing in my field" and that she had "been completely unfair and untherapeutic [sic]" to her client. The Committee finds that respondent's admitted action in requesting a former therapeutic client to provide her with a receipt representing the value of an item of jewelry and then utilizing the improper receipt for her own benefit, involving the client in the impropriety, constitutes gross negligence, gross malpractice and/or gross incompetence, in violation of N.J.S.A. 45:1-21(c) and professional misconduct, in violation of N.J.S.A. 45:1-21(e).

Having reviewed the record, the Committee finds that respondent violated a provision of N.J.S.A. 17:33A-1 et seq. which subjected her to a consent order imposing civil penalties, and thus subject to a disciplinary action pursuant to N.J.S.A. 45:1-21(k). Additionally, respondent engaged in gross negligence, gross malpractice, or gross incompetence which damaged or endangered the life, health, welfare and safety of her client, in violation of N.J.S.A. 45:1-21(c) and engaged in professional misconduct, in violation of N.J.S.A. 45:1-21(e). It appearing that the respondent desires to resolve this matter without further proceedings, and the Committee finding this Consent Order to be adequately protective of the public interest, and other good cause appearing;

IT IS THEREFORE ON THIS 9 DAY OF MARCH, 2009

ORDERED:

1. Respondent's license to practice professional counseling in the State of New Jersey shall be suspended for a period of four

(4) years. The entirety of the suspension shall be stayed and served as a period of probation during which respondent's license shall be restricted with the conditions indicated below.

a. Respondent shall not provide any individual or group professional counseling and/or any mental health therapy. Respondent shall not provide supervision of any professional counseling and/or mental health counseling. Respondent shall not engage in any independent practice of professional counseling.

b. No credit shall be given toward the period of stayed suspension and probation for any time period during which respondent is practicing any type of individual or group counseling or life coaching in the State of New Jersey and/or any other jurisdiction or state, whether or not such counseling is provided in an exempt setting.

c. Respondent's practice of professional counseling shall be non-clinical and shall be under the supervision of a supervisor pre-approved by the Committee. The supervisor shall submit documentation demonstrating expertise in the area of ethics and boundary issues. The supervisor shall sign a copy of this Consent Order or and any subsequent Order filed by the Committee which shall be submitted to the Committee prior to respondent commencing employment as a professional counselor. In the event the supervisor ceases supervising respondent, respondent shall cease and desist engaging in professional counseling unless and until a new supervisor is approved by the Committee and submits a signed copy of the Consent

Order or a subsequent Order to the Committee. Respondent shall immediately (within 24 hours) notify the Committee in writing of any change in supervision.

d. Respondent's supervisor, and any successor supervisor, shall submit quarterly reports directly to the Committee. The reports shall describe the work performed by respondent, the number of hours of supervision, the number and type of matters reviewed during supervision, and an evaluation of respondent's work including sufficient documentation of any potential or actual boundary and/or ethical issues discussed during supervision. The supervisor shall include in the quarterly report a list of any deficiencies in the respondent's work or practice, recommended remediation actions and a statement regarding respondent's compliance with the supervisor's recommendation. The supervisor shall immediately (within 24 hours) report to the Committee in writing any violation of this order, any indication that respondent is not capable of continued practice or has violated the statutes or regulations governing the practice of professional counseling or poses any danger. An unfavorable report shall be a sufficient basis for extending restrictions on respondent's license to practice professional counseling, or such other action as the Committee deems appropriate. Such notice shall be provided to Elaine DeMars, Executive Director, Professional Counselor Examiners Committee or her designee, at 124 Halsey Street, Newark, New Jersey 07101, (973) 504-6582.

e. During the period of probation, respondent shall provide all employers immediately upon commencement of employment with a copy of the within Order. Respondent shall be required to provide the Committee with a copy of this Consent Order (or a subsequent Order filed by the Committee) signed by each employer acknowledging that the employer has reviewed this Consent Order within ten (10) days of the commencement of employment.

f. During the period of probation, respondent shall notify the Committee in writing within twenty-four (24) hours of any change in the status of her employment, including any change in location, responsibilities and/or title, or additional places of employment.

2. Respondent shall pay civil penalties in the amount of \$4,000.00. Payment shall be made by certified check or money order, payable to the Treasurer, State of New Jersey and submitted to Elaine DeMars, Executive Director, Professional Counselor Examiners Committee, P.O. Box 45044, Newark, New Jersey 07101 on or before September 1, 2009. In the event respondent has not made full payment by September 1, 2009 or seeks a payment plan for the payment of the civil penalty, the Committee shall file a Certificate of Debt in accordance with N.J.S.A. 45:1-24 in the full amount of the civil penalty. Respondent shall provide proof of full payment of the civil penalty upon applying for an unrestricted license to practice professional counseling.

3. During the period of probation as provided in paragraph 1 above, any deviation from the terms of this Consent Order without the

prior written consent of the Committee shall constitute a failure to comply with the terms of the Consent Order. Upon receipt of any reliable information indicating that respondent has violated any term of this Order, respondent's license may be automatically suspended by the Committee. Respondent, upon five days notice, may request a hearing to contest the entry of such an order. At any such hearing the sole issue shall be whether any of the information received regarding respondent was materially false. In addition, the Committee reserves the right to bring further disciplinary action.

4. Four (4) years after the filing of this Consent Order, respondent may apply for an unrestricted license upon demonstrating that she is fit and competent to engage in the practice of professional counseling without restrictions and has complied with all the terms of the within order. Upon any such application respondent shall submit:

a. A statement signed and dated by the respondent listing each job respondent engaged in during the time respondent's license was suspended, including name of business or entity, address, name of supervisor, telephone number of supervisor, dates of employment and description of respondent's duties.

b. Documentation that civil penalties have been paid in full.

c. Official transcript from a graduate program in professional counseling demonstrating that she attended in-person (not a distance learning and/or internet program) and successfully

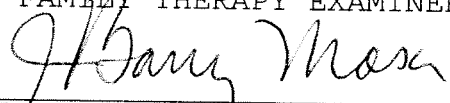
completed six graduate credits of coursework pre-approved by the Committee in ethics and boundaries issues.

d. Documentation that respondent has successfully passed the National Counselor Examination and the Certified Clinical Mental Health Counselor Credential Examination.

e. If so requested by the Committee, respondent shall appear before the Committee where the burden shall be upon the respondent to demonstrate full compliance with this Consent Order and that respondent is fit and competent to practice to the Committee's satisfaction.

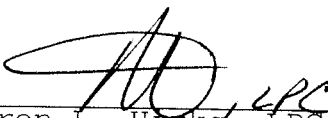
5. Respondent shall comply with all statutes and regulations, as well as professional standards of conduct and obligations imposed by law on licensed professional counselors.

PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE
OF THE NEW JERSEY STATE BOARD OF MARRIAGE
AND FAMILY THERAPY EXAMINERS



J. Barry Mascari, LPC
President

I have read the above Order and I understand and agree to abide by its terms. Consent is hereby given to the Professional Counselor Examiners Committee of the State Board of Marriage and Family Therapy Examiners to enter this Order.



Karen L. Hicks, LPC

Consent as to form:

James P Brady
James Brady, Esq.
Attorney for Karen L. Hicks, LPC

EMPLOYER

I have read the within Order.

Kathy S. Collins LCSW

(Print name of signator) KATHY S. COLLINS LCSW
Name of Employer

License #

Dated: 44SC00482700, 2010

Address: 100 Highway 36 East Suite 1E, West Long Branch, NJ 07764
Telephone # 732-222-8008 Ex: 104
(including area code and extension number)

SUPERVISOR

I have read the within Order. I
agree to the supervision and reporting
requirements in this Order.

Kathy S. Collins LCSW

Print Name of Supervisor KATHY S. COLLINS

Address: 100 HWY 36 EAST SUITE 1E, WEST LONG BRANCH, NJ 07764

Telephone Number 732-222-8008 Ex: 104

Dated: 3/9, 2009

License No. 44SC00482700 exp. 2010